

FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 14, 2016

Agenda Item: Petition to Restrict Commercial Outfitting on the Lower Boulder River, near Big Timber

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 20 Min

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Background: The Department received a petition on February 29, 2016, signed by 67 individuals identifying themselves as fishermen, ranch managers, landowners, recreationists, residents, local residents, local business owners, and one former outfitter. The petition states “A dramatic and rapid increase in the number of commercial and recreational floaters on the aforesaid section of the Boulder River has resulted in a significant degradation of the fishery.” The petitioners are seeking the following remedy: “to limit the number of boats floating the Boulder through one of the many options available to the Commission.” “The undersigned request that the Commission take action under 12.4.103 or other appropriate section to restrict commercial floaters’ use of the Boulder River south of Big Timber.”

Public Involvement Process & Results: The Department has not sought public comment on the petition. The Department met with the Boulder River Watershed Association on January 24 (prior to receiving the petition) to present information related to the health of the Boulder River fishery and to listen to concerns. The Regional Supervisor met with the Sweetgrass County Commission on January 27. The County Commissioners inquired about Department policies for restricting river use but did not request action on the part of the Department. The Department has offered to meet again with the Watershed Association and lead petitioner for further discussions, and the Association has accepted. A meeting is tentatively scheduled for early May.

Alternatives and Analysis: Upon receipt of a petition, the Commission may direct the Department to initiate rulemaking or may summarily deny the petition. In analyzing the petition, the Department believes the remedy requested - a reduction in commercial use - is not necessary at this time due to no evidence of degradation of the fishery.

Agency Recommendation & Rationale: No degradation of the fishery in the Boulder River has been documented and we have no objective indication otherwise that the fishery itself is in jeopardy. The Department is asking the Commission to summarily dismiss the petition. The Big Horn, lower Stillwater, and Yellowstone Rivers in Region 5 all experience more angler pressure than the Boulder River and are higher priority water bodies for scarce river planning resources.

Proposed Motion:

I move to summarily deny the Petition to Place Restrictions on the Boulder River, dated February 29, 2016.